



APPENDIX**THE WHITE HOUSE**

WASHINGTON

December 19, 1941

Pursuant to the agreement reached on December 19, 1941, between representatives of the maritime industry and the labor organizations involved, and in accordance with their joint request that a Board to expedite and coordinate the war efforts of the maritime industry be appointed, I hereby designate:

John R. Steelman of the
U. S. Department of Labor
Edward Mcauley of the
U. S. Maritime Commission
and
Frank P. Graham, President
of the University of
North Carolina

to serve as members of this Board. The Board shall be known as the Maritime War Emergency Board and its powers and purposes shall be those set forth in accordance with Exhibit "A" of the agreement referred to above.

(Signed) FRANKLIN D. ROOSEVELT.

EXHIBIT "A"**Statement of Principles**

1. In so far as areas, war bonuses, and insurance are concerned, it is regarded as desirable and necessary that a uniform basis for each item covering the entire nation and the entire industry be reached.

2. Without waiving the right to strike, maritime labor gives the Government firm assurance that the exercise of this right will be absolutely withheld for the period of the war; on a voluntary basis therefore this is a guarantee on the part of labor that there will be no strikes during the period of the war. Representatives of employers in the maritime industry also guarantee there will be no lockouts for the period of the war.

3. The utilization of collective bargaining will in no instance be impaired or restricted by reason of any action taken at this conference. It is understood and agreed that all rights guaranteed to labor and industry with respect to collective bargaining will be retained and all agreements and obligations arising as a result of collective bargaining agreements will in no way be violated.

During the period of the war there shall be no limitation or curtailment of the productive or service capacities of either employer or employee.

4. To provide machinery for the settlement of disputes without interruption of service or stoppage of work during the period of the war and to insure the application of the maximum war effort and coordination of all war activities coming within the purview of the maritime industry, the Maritime War Emergency Board with the powers and purposes set forth in Exhibit "A", attached hereto, will be created.

The decision of the Board upon any such question which shall be referred to it as hereinbefore set forth shall be final and binding upon all parties to the difference out of which such question arose.

The Board shall appoint advisory committees of representatives of the steamship operators and of such unions of equal representation for the purpose of consulting with and ad-

vising the Board in respect of any other matters looking toward improvement and coordination of the war effort of the United States in the Merchant Marine field.

(Signed by Unions and Shipowners).

12/18/41

EXHIBIT A

**Proposed Board to Expedite and Coördinate the War
Efforts of Employers and Labor in the
Maritime Industry**

The unions representing the personnel of the vessels of the American Merchant Marine and the operators of those vessels having pledged themselves to coöperate wholeheartedly in the all-out war effort of the Government and to take no action during the war emergency which shall cause any interruption of the service of such vessels, it is of the utmost importance that appropriate means shall be established in order to coördinate the war efforts of employees and employers in the American Merchant Marine and to insure that all questions which may arise between them and which, if not promptly and amicably settled might lead to interruptions in such service, shall be promptly and amicably settled.

It is confidently expected that most of such questions can and will be settled through the normal procedure of collective bargaining between such unions and the steamship operators.

Under present war conditions, however, neither the unions nor the steamship operators will at all times be in position to obtain adequate information with regard to the extent of war risks in order to enable them to bargain intelligently with regard to questions relating to war risk compensation and insurance of the personnel of such vessels.

In order to afford a procedure for settling questions relating to war risk compensation and insurance which will at the same time insure that the consideration thereof shall be based upon adequate and accurate information and that such questions shall be settled in such manner as shall most certainly assist in the prosecution of the war, it is proposed that there shall be established a board to be known as the Maritime War Emergency Board (hereinafter sometimes called the Board), or by some other suitable name, and to be composed and have the powers and duties hereinafter set forth.

The Board shall consist of three members to be named by the President of the United States with the understanding that one member shall be selected from the United States Department of Labor, and one from the U. S. Maritime Commission.

Whenever any difference shall arise between any steamship operator and any union representing its employees with regard to any question relating to war risk compensation or war risk insurance of personnel of the vessels of such steamship operator and such question shall not be settled through the ordinary procedure of collective bargaining between such steamship operator and its employees, such question shall be referred to the Board by such steamship operator or such union by giving written notice to the Board and to the other party of the intention of the party giving such notice to refer such question to the Board. Such notice shall specify the question to be referred to the Board.

Upon receiving such notice the Board shall as promptly as shall be practicable afford to each party a reasonable opportunity to present evidence and argument in support of the position of such party and the Board shall thereupon render its decision in writing with regard to such question and serve a copy thereof upon each party.

Maritime War Emergency Board

DECISION NO. 1

The Maritime War Emergency Board ruled on December twenty-second at 11:50 P. M., "Effective immediately and pending further consideration and decision by the Board each member of the crew of any merchant vessel documented under the laws of the United States and covered by the statement of principles pursuant to which the Board has been established, including such vessels now at sea, shall be insured against loss of life due to risks of war or warlike operations in the amount of \$5,000 on all voyages (such insurance to be effective throughout the entire voyage and until such member of the crew shall be returned to a place within continental United States excluding Alaska), other than voyages exclusively on inland waters of the United States or on waters of the Gulf of Mexico (the harbors of Key West and Havana and all waters west of a line from the easternmost point of the City of Key West, or the approaches thereto, to the easternmost point of the City of Havana, or the approaches thereto, to be deemed for all purposes hereof to be included in waters of the Gulf of Mexico), or both. This is an interim decision made to govern the relations of the operators and their employees in the emergency pending further consideration and, if necessary, revision. The Board will endeavor to arrive, after careful consideration, at a prompt determination on all matters properly pending before it, it being intended that its decision thereon will be retroactive to Sunday, December 7, 1941, unless otherwise determined by the Board."

At a meeting of the Maritime War Emergency Board on December 23, 1941, the following was agreed upon as part of interim decision: "Bonus rates will be established as promptly as possible and shall be for the danger zones recognized by

the Board's interim decision with reference to insurance." Explanatory notice in mail.

Maritime War Emergency Board

DECISION NO. 3

January 20, 1942

The Maritime War Emergency Board has today made this Decision with respect to reimbursement for loss of or damage to personal effects resulting from risks of war or warlike operations for licensed and unlicensed personnel employed *on the United States flag vessels of the United States Merchant Marine*. In making this Decision the Board has given due consideration to all available information and to existing collective bargaining agreements.

The Decision is retroactive to and including December 7, 1941.

The Decision shall govern reimbursement for any loss of or damage to effects resulting from risks of war or warlike operations; in accordance with the following:

(a) In the event of total loss of or damage (equivalent to total loss) to the effects of any licensed officer or unlicensed member of the crew resulting from risks of war or warlike operations, such officer or crew member shall be paid, as reimbursement for such loss or damage, (i) if a licensed officer, the sum of \$300, (ii) if an unlicensed member of the crew (including department heads receiving a basic wage in excess of \$120 per month, the sum of \$250, and (iii) if an unlicensed member of the crew (including department heads) receiving a basic wage of \$120 per month or less, the sum of \$150.

**Maritime War Emergency Board Clarification of
Decision No. 3, as Amended May 7, 1942**

The Maritime War Emergency Board today announced a clarification of Decision No. 3, as amended, issued under date of January 20, 1942.

This clarification is made as the result of doubts having been raised whether the right of seamen to payment for loss of personal effects dies with them.

The Board has ruled that the provisions for payment for loss of personal effects are property insurance and therefore the claim survives the death of the seaman.

Payment should be made in the order prescribed in Payee clause of Decision No. 1 and supplement thereto.*

Payment is retroactive to and including December 7, 1941.

(Sgd.) EDWARD MACAULEY

Edward Macauley,
Chairman

(Sgd.) JOHN R. STEELMAN

John R. Steelman
(Sgd.) FRANK P. GRAHAM

Frank P. Graham

* "PAYEES: "All payments provided for herein will be made only to the master, officer, or member of the crew concerned, that a payment for loss of life will be made to the beneficiary designated by the master, officer or member of the crew at the time he signs on. **The appearance of the name of such beneficiary upon a copy of the signed beneficiary list of individual beneficiary designation, attested by the shipowner, shall be conclusive evidence of such designation,**
* * *

"Payment hereunder, if made in accord with any of the foregoing provisions, shall thereby entirely discharge Assurer's liability with respect to such loss, injury or death." (Emphasis supplied.)

(Supplement to Decision No. 1, Dated February 6, 1942.)